

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING -- May 18, 1966

Appeal No. 8763 Florence F. Fisher, appellant.

The Zoning Administrator of the District of Columbia, appellee.

On motion duly made, seconded and unanimously carried, the following Order was entered at the meeting of the Board on May 31, 1966.

EFFECTIVE DATE OF ORDER -- June 19, 1967

**ORDERED:**

That the application for permission to enlarge and remodel an existing gasoline service station at the southeast corner of Pennsylvania and Branch Avenues, SE., Parcels 207/50 and 207/76, near square 5665, be conditionally granted.

From the record and the evidence adduced at the public hearing, the Board finds the following facts:

(1) Parcel 207/50 is presently improved with an Esso gasoline service station. Appellant proposes to enlarge and remodel this service station by razing the existing building and constructing a new building with a red brick facade in the Colonial style.

(2) The proposed service station is located in C-1 zoning district. To meet the requirements of the set-back provisions of the Zoning Regulations applicant will utilize one-half of the former public alley for a distance of ten feet.

(3) Subsequent to public hearing, applicant after further investigation found that the public alley previously mentioned, although closed as of record, had not been zoned.

(4) By letter dated 31 May 1966, the applicant requested reinstatement of the variance request to permit ten feet of the alley to be counted in the set-back area. Applicant also requested a waiver of the five feet from the rear yard provisions of the C-1 District.

(5) The proposed enlargement of the service station will provide better ingress and egress because of the better spacing of the pump islands. The proposed planting will enhance the appearance of the site, which is located on a hill with a steep slope going down Pennsylvania Avenue.

(6) All entrances are separated by landscaped areas of grass, shrubbery and trees.

(7) The service station will provide three bays and sales room and office.

(8) The Director, Department of Vehicles and Traffic, has no objection to the granting of this application.

OPINION:

The Board is of the opinion that the granting of this application including the request for variance, is in harmony with the intent and purpose of the Zoning Regulations and Maps. Because of the extraordinary topographical condition, shape and location of the subject site, we find that there is a hardship on the owner within the meaning of Section 8207.11 of the Zoning Regulations. WE also find that the relief can be granted without detriment to the public good and without impairing the intent, purpose and integrity of the plan.

This Order is subject to the following conditions:

- (a) No vehicular entrance or exit shall be located closer than 25 feet to a street intersection, nor will such entrances be located within 25 feet of a residential district.
- (b) All grease pits and hoists shall be located within a building.